Brief on new Tri-service Food Code (TSFC)- P-5010, Chpt 1

Prepared by:
LT Sherry Hayes
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Background

- What is the Tri-service Food Code (TSFC)?
  - A joint food sanitation and safety standard
  - Developed by Army, Navy, and Air Force public health professionals (preventive medicine and veterinary services)
- Why develop a joint standard?
  - Variations in food sanitation criteria applied across DOD
  - Joint basing
  - Need for a unified standard in deployment
    - Army is the DOD Executive Agent for food safety
    - TB MED 530 directed for used by all services conducting inspections at facilities supporting contingency/combat operations
  - Consolidated service schools
    - Medical Education and Training Campus (METC) – Joint Base San Antonio
    - Cook School (Quartermaster School, Ft Lee, VA)

Applicability

- Preventive Medicine, Public Health, & Veterinary Services
- Military, civilian, contract, & volunteer personnel providing food service or operating food concessions, food vending, or food sales at facilities, sites or operations governed under military regulation;
  - Active & reserve components – Army, Navy, Air Force, & Marine Corps
  - DOD & contract foodservice personnel, concessions, & vendors
- All phases of training, exercises, deployment, & operations afloat.
- **Does not** apply during OCONUS exercises where Food and Water Risk Assessments are conducted at commercial facilities or foreign military food operations.
- **Does not** replace veterinary regulations (e.g., AR 40-657/NAVSUP 4355.4H/MCO P10110.31H; or the DOD MIL-HDBK 3006C)

Format (1)

- Structure
- Content organized by principle
- Italicized text
- Capitalized words & terms

Format (2)

- Structural Nomenclature

Nomenclature	Symbol	Example of Numerical Format
Chapter	None	9
Part	None	9-1
Subpart	None	9-101
Section (Provision)	§	9-101.11
Paragraph	¶	9-101.11(A)
Subparagraph	None	9-101.11(A)(1)

Provision = a prescribed requirement or criteria

- Each *Section* contains 1 or more provisions

General Principles (1)

- The TSFC serves 3 functions:
  - Identifies conditions essential to ensure food safety;
  - Provides administrative guidance and requirements to assist food establishment managers; and
  - Provides public health regulators with management procedures for surveillance and administration of the food sanitation and safety programs.
- Portions of the TSFC that are for information only:
  - Chapter 1, *Introduction*—
    - Purpose & applicability of the TSFC;
    - Instructions regarding how to use the TSFC.
  - Chapter 8, *Compliance and Enforcement*—
    - Variance & HACCP requirements and approval procedures;
    - Application requirements for new facilities/operations;
    - Inspection processes & reporting;
    - Roles & responsibilities of public health, food program, & food establishment managers.

General Principles (2)

- Provisions are either debitable on inspections or they are not.
  - The term debitable is used to identify compliance criteria.
  - Applies to requirements associated with managing and maintaining food establishments.
  - Food managers and employees must adhere to criteria noted for each debitable provision.
  - Identified on the *Food Operation Inspection Report.*
  - A list of debitable provisions for each chapter are provided at Appendix C.

General Principles (3)

- Categories of importance & other symbols

Symbol Description	Meaning
Asterisk *	Designates a CRITICAL provision
Superscripted letter S	Designates a SWING provision
Superscripted letter N	Designates a NONCRITICAL provision
Superscripted dagger †	Indicates the provision was added by the uniformed Services and is not presented in the FDA Food Code

- How symbols are used
  - An asterisk * located at the end of a tagline (the provision number & title line) indicates all of the provisions within that section are CRITICAL unless otherwise indicated by a superscripted “S” or “N”.
  - Unless under a critical tagline, all unmarked provisions, paragraphs, and subparagraphs are considered NON-CRITICAL.

General Principles (4)

- Category Definitions
  - **CRITICAL** refers to a specific condition/provision within a *Section* that when non-compliant, is more likely than other violations to result in food contamination, illness, or a significant environmental health hazard.
    - Generally, this is (or associated with) the last step in a process in which a hazard can be controlled.
  - **SWING** provisions represent those criteria that are generally critical, but may be considered a non-critical violation, depending on the circumstances. *Regulators must apply professional judgment and standardize the decision process among inspection team members.*

    Provisions containing Swing items—
    - *3-202.11 Temperature* (food receiving)*
    - *3-301.11 Preventing contamination from hands**
    - *5-205.15 System maintained in good repair* (plumbing)*
    - *7-201.11 Separation* (poisonous or toxic materials)*
    - *7-208.11 Storage* (first-aid supplies)*
    - *7-301.11 Separation* (retail sale/stock poisonous or toxic materials)*

  Examples follow…

General Principles - Conventions

- "**Shall**" constitutes a command; the act is imperative.
  - *Example:* ¶ 3-201.11(B) – Food shall be obtained from approved sources…
- "**May not**" means absolute prohibition.
  - *Example:* § 4-204.17 – Liquid waste drain lines of any type may not pass through an ice machine or ice storage bin.
- "**May**" is permissive; the act is allowed.
  - *Example:* ¶ 3-501.110(D) – Leftover PHF(TCS) foods may be retained up to 72 hours if chilled (41◦F or below).
- "**Should**" means the action is recommended.
  - Non-debitable
  - Information or guidance only
  - Normally found with italicized text

General Principles – Cross Referencing

- 2 Type of Internal Cross Referencing—
  - Used to eliminate the need for restating provisions.
  - Directs the reader to the location containing the specific requirement.
- Cross reference using the phrase "*as specified **under***"
  - Alerts you to relevant information;
  - Provides a system by which each violation is recorded (debited) under the one most appropriate *Section* number/provision.
- Cross reference using the phrase "*as specified **in***"
  - Indicates the requirement is specified in a separate document (other regulation) and is incorporated by reference in the TSFC; **or**
  - Refers the reader to additional information for consideration but is not debitable under the current provision.

Examples follow…

Organization of Information - Chapters

FDA Food Code & TSFC	NAVMED P-5010-1 (AUG 1999)	TB MED 530 (OCT 2002)
1 – Introduction	**Section I** – General Information	**Chapter 1** - Overview
2 – Management & Personnel	**Section II** - **–** Management & Personnel	**Chapter 2** - **–** Management & Personnel
3 – Food	**Section III** - Food	**Chapter 3** - Food ***[Chapter 7** – Mobile Food Establishments]*
4 – Equipment, Utensils, & Linens	**Section IV** – Standards & Sanitation of Food Service Equipment & Utensils	**Chapter 4** – Equipment & Utensils ***[Chapter 7** – Mobile Food Establishments]*
5 – Water, Plumbing, & Waste	**Section V** - Structural Requirements & Sanitary Controls	**Chapter 5** – Sanitary Facilities & Controls **Chapter 6**– Construction & Maintenance of Food Establishments **Chapter 7** – Mobile Food Establishments **Chapter 11** – Poisonous or Toxic Materials
6 – Facilities		
7 – Poisonous or Toxic Materials		
8 – Compliance & Enforcement	**Section I** – General Information **Section VI** – Inspection Reporting Procedures	**Chapter 12** – Administrative Procedures, Compliance & Enforcement
9 – Field & Deployment Food Operations *(operations afloat)*	*none*	**Chapter 9** – Field Food Service
		Chapter 8 – Temporary Food Service

Organization of Information - Appendices

TSFC	NAVMED P-5010-1 (AUG 1999)	TB MED 530 (OCT 2002)
Appendix A – References	**Appendix B** – References	**Appendix A** – References
Appendix B – Technical Support	None	None
Appendix C – Debitable Code Provisions	None	None
Appendix D – Facility Risk Assessment Procedures	None	**Appendix B** – Model Risk Assessment Plan for Scheduling Food Sanitation Inspections
Appendix E –Instructions for Marking Food Sanitation Inspection Forms	***Section VI*** – *Inspection Reporting Procedures*	***Chapter 12*** – *Administrative Procedures…*
Appendix F – Worksheets, Guides, & Other Aids	**Appendix C** – Model Forms	None
Excluded appendices from NAVMED P-5010-1: App A, *Foodborne Illness; (develop as local procedure)*		
Excluded appendices from TB MED 530: App C, *HACCP Guidelines; (available online)*		

Organization of Information – Excluded Content

- Specific procedures for management of food service operations or tasks have been excluded. *Examples:*
  - **NAVMED P5010-1, Sections 3-5.8 thru 3-5.15** *Reconstituting Dehydrated Food, Serving Lines, Buffets, etc.*
  - **NAVMED P5010-1, A-3,** *Investigation of foodborne disease outbreak*.
  - **TB MED 530 & NAVMED P5010-1, HACCP procedures**. Available online (FDA Food Code, Annex 4) at http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/ucm188363.htm
  - **FDA Food Code, Public Health Reasons.** Available online at http://www.fda.gov/Food/FoodSafety/RetailFoodProtection/FoodCode/FoodCode2009/ucm189169.htm
- Better suited for development as local SOP/Operating Instruction.

Major Changes (1)

- Regulatory inspection types **[8-400.20 and 8-6]**
  - **Pre-operational** – (new facility) conducted before a facility is authorized to open for business
  - **Routine** – planned inspection; always comprehensive
  - **Complaint** – investigates specific issue/concern presented by a customer
  - **Follow-up** – conducted as a result of a non-compliant rating
  - **Walk-through** – courtesy; not formally rated (unless critical findings are observed that cannot be corrected immediately)

Major Changes (2)

- Inspection frequencies
  - Minimum frequencies recommended for each type of food operation based on—
    - Assumed risk associated with operation complexity,
    - Primary population served, and
    - Historical inspection performance.
  - The *Food Facility Risk Assessment Survey* can serve as a tool to determine changing a minimum prescribed frequency.
  - Intent is to increase inspection program efficiencies—
    - Allows more time for public health interventions (i.e., SOP/Operating Instruction development assistance, food safety training, & other food operation assistance visits).
    - Does not preclude more frequent inspections without justification.
  - Does not eliminate frequency requirements for Veterinary Services inspections governed under AR 40-657/NAVSUP 4355.4H/MCO P10110.31H.

Minimum Recommended Inspection Frequencies

Risk Category	Inspection Frequency	Examples of Facilities
Extremely High	Monthly	Shipboard; Hospital nutrition care serving in- or out-patients; Child Care Facilities[1]; Field foodservice (tactical)
High	Quarterly	Dining Facility (DFAC); Fast-food concessions; Community club
High	Quarterly	**Retail Store:** Large retail store providing one or more of the following *Advanced*[2] food services: rotisserie chicken; on-site macaroni, tuna, egg, or potato salad prep, sandwich prep/Panini; sushi bar; self-serve salad/soup/buffet bar; bakery (preparation by mixing raw ingredients); fresh seafood department
Moderate	6 months	Small food concession; Coffee shop (packaged food; not prepared on site); Ice cream shop; Mobile snack truck
Moderate	6 months	**Retail Store:** Retail stores providing *Basic*[2] food services; characterized as retail stores providing typical grocer services (commercially packaged goods) and may include one or more of the following: limited bakery (bakes using frozen products or pre-mixed dough); deli that does not perform cooking or food prep from raw ingredients; self-serve sandwiches (hot breakfast or commercially packaged); hot dogs, pizza, or other pre-cooked foods held in hot holding for individual service. Examples include: Mini-mart, Shoppette/Express, or gas station retail store

Major Changes (3)

- Public Health Interventions
  - Optional strategy.
  - Guidance provided as an alternative to conducting a routine inspection.
  - Intended to influence behavior change through “active managerial controls.”
  - Must be documented.
  - ❖ Does not substitute for Army Vet Svcs inspections governed under AR 40-657.
- Types of interventions:
  - HACCP training;
  - Food sanitation training;
  - Consultation to assist developing an SOP/Operating Instruction or correct a problem area.
  - ❖ Phone calls & follow-up inspections are NOT interventions!

Required Inspection Frequency[1]	Required Number of Routine Inspections[2]	Number of Interventions[2] Authorized
Annual	1	0[3] (phone contact after 6 months)
6 Months	2	0[3] (phone contact after 3 months)
Quarterly	4	0
	3	1
	2	2
Monthly	12	0
	11	1
	10	2
	9	3
	8	4
	7	5

Major Changes (4)

- Criteria provided to score the facility and assign the inspection ratings
  - Process is no longer subjective

Rating	Criteria
Fully Compliant	• No discrepancies
Substantially Compliant	• No Imminent Health Hazard (IHH)[1]; • Two or less Critical findings Corrected on Site (COS)[2]; • Five or less Non-Critical findings
Partially Compliant	• No IHH; • Three or more Critical findings COS; • Six or more Non-Critical findings
Non-Compliant	• Any IHH present; • Any Critical findings not COS

[1] Presence of any imminent health hazard results in a Non-Compliant rating.
[2] Presence of any Critical finding that cannot be corrected on site results in a Non-Compliant rating.

Major Changes (5)

- Time frame for corrections and follow-up inspections **[8-405.11 & 8-406.11]**—
  - Critical violations shall be corrected at the time of inspection;
  - Non-compliant inspection ratings require a formal follow-up within 5 calendar days.
    - Critical violations not corrected on site (COS) during an inspection will result in a non-compliant inspection rating.
    - Follow-up for non-compliant inspections are documented on the *Food Operation Inspection Report* form.
  - Non-critical violations must be corrected by a date and time agreed to or specified by the regulatory authority, but no later than 30 days.
    - Follow-up inspection to verify correction of non-critical violations are at the discretion of the regulatory authority.

Major Changes (6)

- Potentially hazardous food.
  - Now called Potentially Hazardous Foods – Time and Temperature Control for Safety Foods [PHF(TCS)]
  - Includes heat-treated plant foods (e.g. cooked rice, beans, or vegetables), raw seed sprouts, cut melons, cut leafy greens, and cut tomatoes
- Safe Temperatures for holding PHF(TCS) food.
  - **Cold** holding temperature changed from 40◦F to **41◦F (5◦C)** or below.
    - Studies have validated 41◦F (5◦C) for 7 days does not allow more than 1-log growth of *Listeria monocytogenes*.
  - **Hot** holding reduced from 140◦F to **135◦F (57◦C)** or above.
    - Studies have shown reduction in still allows sufficient margin of safety.
  - *Full discussion provided in FDA Food Code, Annex 3, Public Health Reasons.*

Major Changes (7)

- Leftovers **[3-501.110]**
  - Cold hold up to 72 hours
  - Hot hold until consumed or discarded
    - "Topping off" hot hold items is prohibited
  - Retention of foods containing leftover items as an ingredient is prohibited
- Time Only as a Public Health Control **[3-501.19]**
  - 4-hour rule unchanged for hot & cold holding in temperature danger zone;
  - **New 6-hour rule:** Chilled PHF(TCS) food may be held for up to 6 hours outside of the safe temperature zone as long as the food does not exceed 70ºF at any time during the 6-hour period.
  - Facility must have a written procedure that is approved by the regulatory authority before "Time Only" may be employed.

Major Changes (8)

- Inspection forms (new DD forms)
  - Food Operation Inspection Report —
    - Used for ALL food service operation types.
    - Replaces: DA Forms 5161-R, 5161-1-R , 5162-R; MEDCOM Form 640-R; AF Form 977, and NAVMED 6240/1 (and all local variations).
  - Tactical Kitchen Food Sanitation Inspection
    - Evaluation of military-operated tactical foodservice; field feeding systems (TO&E such as MKT, CK, and K-CLIFF).
    - Not used to evaluate Force Provider or field contracted foodservice operations.
- Food Facility Risk Assessment Survey form (new DD form)
  - Modification of DA Form 7437-R
  - Includes retail food stores
  - Optional for use to determine inspection frequencies
    - Army Veterinary Services does not plan to use this form at DeCA facilities.

QUESTIONS?

LT SHERRY HAYES
NEPMU5
619-556-9599
EMAIL: SHERRY.HAYES@MED.NAVY.MIL